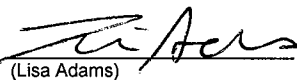


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).

Dated: February 25, 2008

Signature:

(Lisa Adams)



Docket No.: 022956-257
(MIT5029USNP)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
William B. Geissler et al.

Application No.: 10/708,360

Confirmation No.: 2359

Filed: February 26, 2004

Art Unit: 3734

For: METHODS AND DEVICES FOR REPAIRING
TRIANGULAR
FIBROCARILAGECOMPLEX TEARS

Examiner: M. G. Mendoza

**PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A Notice of Allowance and Issue Fee Due was issued on October 1, 2007. The Issue Fee was paid by Applicant on December 7, 2007. On January 29, 2008, Applicant received a Notice of Abandonment in the above-referenced application (copy enclosed) for "failure to timely file corrected drawings."

Our file indicates that replacement formal drawings were filed by applicant on July 10, 2006. An Acknowledgement Receipt was received from the U.S. Patent and Trademark Office confirming that the submission was successfully received (copy enclosed).


In reviewing PAIR, it was noted that the replacement drawings and the Acknowledgement Receipt appear in the "Image File Wrapper," but they do **not** appear in the "Transaction History."

It is submitted, therefore, that on the basis described above the abandonment should be held to be inadvertent and the case revived.

It is believed that no fees for this Petition to Revive Fee are due, however, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 022956-257.

Dated: February 25, 2008

Respectfully submitted,

By 
Lisa Adams

Registration No.: 44,238

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Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,360	02/26/2004	William Geissler	022956-0257	2359

EXAMINER	
MENDOZA, MICHAEL G	

ART UNIT	PAPER NUMBER
3734	

NOTIFICATION DATE	DELIVERY MODE
01/29/2008	ELECTRONIC

RECEIVED

JAN 29 2008

NMF

7590 01/29/2008
NUTTER MCCLENNEN & FISH LLP
WORLD TRADE CENTER WEST
155 SEAPORT BOULEVARD
BOSTON, MA 02210-2604

Notice of Abandonment

This application is abandoned in view of:

1. ☐ The applicant's failure to timely file a proper reply to the Office letter mailed on _____.
 - (a) ☐ A reply was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the period for reply (including a total extension of _____ month(s)) which expired on _____.
 - (b) ☐ A proposed reply was received on _____, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of:
 - (1) a timely filed amendment which places the application in condition for allowance;
 - (2) a timely filed Notice of Appeal (with appeal fee);
 - (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
 - (c) ☐ A reply was received on _____ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box e below).
 - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
 - (a) ☐ The issue fee and publication fee, if applicable, was received on _____ (with a Certificate of Mailing or Transmission date _____), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
 - (b) ☐ The submitted fee of \$_____ is insufficient. A balance of \$_____ is due.
The issue fee required by 37 CFR 1.18 is \$_____.
The publication fee, if required by 37 CFR 1.18(d), is \$_____.
 - (c) ☐ The issue fee and publication fee, if applicable, has not been recieved.
3. ☒ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
 - (a) ☐ Proposed corrected drawings were received on _____ (with a Certificate of Mailing or Trasmission dated _____), which is after the expiration of the period for reply.
 - (b) ☒ No corrected drawing have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filling of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on _____ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

Petitions to revive under 37 CFR 1.137(a) or (b), or request to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

Telephone inquiries should be directed to the Office of Data Management at (571) 272-4200.

Patent Publication Branch
Office of Data Management

DOCKETED

4/29/08 Pet. to Revive
Ep 1/29/08